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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,538	03/07/2001	Ryoh Itoh	14379	4146

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SCULLY SCOTT MURPHY & PRESSER, PC
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GARDEN CITY, NY 11530

EXAMINER

TRAN, PABLO N

ART.UNIT	PAPER NUMBER
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2685

DATE MAILED: 03/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,538

Applicant(s)

ITOH, RYOH

Examiner

Pablo N Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-4 and 6-7 rejected under 35 U.S.C. 102(a) as being anticipated by *Arai et al.* (The General Meeting of Institute of Electronics and Communications Engineers of Japan, SB-1-12 (1999), "Structure Method of Unidirectional Antenna for Portable Terminal and Phantom Effect of Human Body", pages 652-653).

As per claim 1, *Arai et al.* disclose a portable wireless unit having a first plane antenna smaller than an antenna size determined by a desired frequency, and a second plane antenna presenting an antenna size determined by said desired frequency on the whole by coupling with said first plane antenna (see fig. 1-2, pg. 653).

As per claim 2, *Arai et al.* disclose the first plane antenna is disposed on a circuit board incorporated in a case as a casing (see fig. 1-2, pg. 653).

As per claim 3, *Arai et al.* disclose the second plane antenna is provided on outer surface or inner surface of the case as a casing (see fig. 1-2, pg. 653).

As per claim 4, *Arai et al.* disclose the first plane antenna is a plate-form inverted F type antenna, microstrip antenna, or chip antenna (see fig. 1-2, pg. 653).

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As per claim 6, *Arai et al.* disclose the first plane antenna is supplied with current, and said second plane antenna is parasitic (see fig. 1-2, pg. 653, also see Search and Examination Report, no. 4).

As per claim 7, *Arai et al.* disclose the second plane antenna is disposed so as to be overlaid in a part or whole on said first plane antenna (see fig. 1-2, pg. 653).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Arai et al.* (The General Meeting of Institute of Electronics and Communications Engineers of Japan, SB-1-12 (1999), "Structure Method of Unidirectional Antenna for Portable Terminal and Phantom Effect of Human Body", pages 652-653).

As per claim 5, *Arai et al.* do not specifically disclose the first plane antenna has a narrow band. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such narrow band antenna, well known, to the communication systems of *Arai et al.* in order to reducing multipath effects as well as from the resultant reduction in bandwidth requirements.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bergstedt et al. (6,150,982) and Kuroda (5,410,323) disclose antenna arrangement for use in a radiotelephone communication system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PABLO N. TRAN
EXAMINER


#2685

March 8, 2004